

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

22 OPEN MEETING ITEM  
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BRIAN C. McNEIL  
EXECUTIVE SECRETARY

ARIZONA CORPORATION COMMISSION 2001 APR -2 A 9:47

DATE: April 2, 2001  
DOCKET NO: T-03058A-01-0209  
TO ALL PARTIES:

AZ CORP COMMISSION  
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APR 02 2001

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Enclosed please find the recommendation of Administrative Law Judge Stephen Gibelli. The recommendation has been filed in the form of an Order on:

LORENZEN'S VENDING  
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

APRIL 11, 2001

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Working Session and Open Meeting to be held on:

APRIL 17, 2001 and APRIL 18, 2001

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250.

*Brian C. McNeil*  
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL  
CHAIRMAN

3 JIM IRVIN  
COMMISSIONER

4 MARC SPITZER  
COMMISSIONER

5  
6 IN THE MATTER OF THE APPLICATION OF  
LORENZEN'S VENDING FOR THE  
7 CANCELLATION OF THE CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
8 CUSTOMER-OWNED PAY TELEPHONE  
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-03058A-01-0209

DECISION NO. \_\_\_\_\_

**ORDER**

9 Open Meeting  
10 April 17 and 18, 2001  
Phoenix, Arizona

11 **BY THE COMMISSION:**

12 Having considered the entire record herein and being fully advised in the premises, the  
13 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

14 **FINDINGS OF FACT**

15 1. Lorenzen's Vending ("Applicant") has a Certificate of Convenience and Necessity  
16 ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona  
17 pursuant to Decision No. 59652 (May 15, 1996).

18 2. On March 8, 2001, Applicant filed with Docket Control of the Commission an  
19 application for approval of the cancellation of the Certificate, indicating that it no longer provides  
20 COPT service in the State of Arizona.

21 3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT  
22 providers were public service corporations subject to the jurisdiction of the Commission.

23 4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to  
24 regulate COPT providers.

25 5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes  
26 rates and minimum service standards applicable to COPT service.

27 6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT  
28 Certificates without a hearing.

1. Applicant is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

7           2.       The Commission has jurisdiction over Applicant and the subject matter of the  
8 application.

10           4.     Staff's recommendation in Findings of Fact No. 7 is reasonable and should be  
11     adopted.

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**ORDER**

IT IS THEREFORE ORDERED that the application of Lorenzen's Vending for the cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_ day of \_\_\_\_, 2001.

BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT  
SG: \_\_\_\_\_

SERVICE LIST FOR:

LORENZEN'S VENDING

DOCKET NO.:

T-03058A-01-0209

Christopher J. Lorenzen  
LORENZEN'S VENDING  
5217 North Papaya Ave.  
Tucson, Arizona 85705

Christopher Kempley, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Deborah Scott, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007